

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COLUMBIA GAS TRANSMISSION  
CORPORATION,

Plaintiff,

v.

AN EASEMENT TO CONSTRUCT,  
OPERATE AND MAINTAIN A 24-INCH  
GAS TRANSMISSION PIPELINE ACROSS  
PROPERTIES IN CHESTER COUNTY,  
PENNSYLVANIA, OWNED BY PAR AND  
PARTHASARATHY ANBIL, et al. and  
UNKNOWN PERSONS AND INTERESTED  
PARTIES,

Defendants.

C.A. No. 02-CV-3733

**SUPPLEMENT TO COLUMBIA'S MOTION FOR PARTIAL SUMMARY  
JUDGMENT ON ISSUE OF ACCESS TO REFLECT CONSENT OF FRANCISCO T.  
AND KATHLEEN D. RIVAS AND ROBERT L.M. AND LINDA LANDENBERG**

The defendants Francisco T. and Kathleen D. Rivas and Robert L.M. and Linda Landenberg have consented to that portion of Columbia's Motion for Partial Summary Judgment which seeks access to the condemned properties by May 1, 2003. Frank Rivas, counsel for the Rivas and Landenberg defendants, sent counsel for Columbia an email which states in relevant part:

I have received your Motion for an Expedited Ruling on your Motion for Partial Summary Judgment. I did not respond to your motion as neither the Rivas nor Landenberg have any objections to Columbia Gas beginning construction on schedule. This has been our position since last fall, and remains our position to date. Please feel free to represent this to the court.


Copy of email attached as Exhibit A.

WHEREFORE, Columbia supplements its Motion for Partial Summary Judgment to reflect the consent of the defendants Francisco T. and Kathleen D. Rivas and Robert L.M. and

Linda Landenberg to Columbia's Motion insofar as it grants Columbia access to the properties of the defendants beginning May 1, 2003.

REED SMITH LLP

Date: April 9, 2003

  
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Attorneys for Plaintiff  
Columbia Gas Transmission Corporation

**Abbott, Kevin C.**

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**From:** FTR12354@aol.com  
**Sent:** Tuesday, April 08, 2003 3:07 PM  
**To:** Abbott, Kevin C.  
**Subject:** Re: Columbia Gas

Dear Kevin:

I have received your Motion for an Expedited Ruling on your Motion for Partial Summary Judgment. I did not respond to your motion as neither the Rivas nor Landenberg have any objections to Columbia Gas beginning construction on schedule. This has been our position since last fall, and remains our position to date. Please feel free to represent this to the court.

I apologize for the delay in getting the appraisals to you. My appraiser is overwhelmed with refinancing appraisals. He "promised" that he would have the report of the Rivas property by Thursday. Landenberg will rely upon the appraisal already provided by Glenn Perry.

Thanks again.

Frank Rivas

Exhibit A

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the Supplement to Columbia's Motion for Partial Summary Judgment on Issue of Access to Reflect Consent of Francisco T. and Kathleen D. Rivas and Robert L.M. and Linda Landenberg has been served by facsimile and First Class Mail upon the following:

Kevin R. Boyle  
Stradley Ronon Stevens & Young, LLP  
30 Valley Stream Parkway  
Malvern, PA 19355  
Counsel for: Archbishop of Philadelphia

Jonathan F. Altman  
Tupitza, Altman & Bryman, P.C.  
212 West Gay Street  
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Counsel for: Harold M. and Roberta E. Harper

Francisco T. Rivas  
257 W. Uwchlan Avenue  
Suite A  
Downingtown, PA 19335  
Counsel for: Francisco T. and Kathleen D. Rivas and Robert L.M. and Linda Landenberg

Date: April 9, 2003

  
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